



# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

## COURT SERVICES DIVISION

### LEVY INSTRUCTIONS

#### REAL ESTATE PROPERTY LEVY-WRIT OF POSSESSION (EVICTION)



**Gary Penrod, Sheriff**

☐ East and West Valley Region  
157 W. 5<sup>th</sup> Street, 3<sup>rd</sup> Floor  
San Bernardino, CA 92415  
Bus No. (909) 387-5700  
Fax No. (909) 387-5630

☐ Rancho Court Services  
8303 Haven Avenue, 3<sup>rd</sup> Floor  
Rancho Cucamonga, CA 91730  
Bus. No. (909) 945-4440  
Fax No. (909) 948-4577

☐ Desert and Mountain Region  
14455 Civic Drive  
Victorville, CA 92392  
Bus No. (760) 243-8756  
Fax No. (760) 243-8936

☐ Needles Court Services  
1111 Bailey Avenue  
Needles, CA 92363  
Bus No. (760) 326-9225  
Fax No. (760) 326-9239

Plaintiff/Petitioner: \_\_\_\_\_

Defendant/Debtor: \_\_\_\_\_ Case No. \_\_\_\_\_

**By the authority granted under the accompanying writ, you are hereby instructed to perform the following:**

**Serve and Levy on:**

Name of the judgment debtor(s)/tenant(s) or occupant(s): \_\_\_\_\_

Address of the real estate (rental) property subject to levy: \_\_\_\_\_

Person to be notified to take possession of the property: \_\_\_\_\_

Contact information of the person taking possession of the property (daytime phone number or cell phone) \_\_\_\_\_

**Note: The landlord/owner or his agent must be present to take possession of the property on the eviction date. If the landlord/owner or his agent failed to show at the scheduled date, time, and location of the eviction, the eviction process will be cancelled and the writ will be returned to the court.**

List any known safety hazards or security risks associated with evicting the occupants: \_\_\_\_\_

Do you instruct the Sheriff to proceed with the eviction if the tenant files bankruptcy after the date of judgment listed on the writ of possession? ☐ Yes ☐ No

Special Instructions: \_\_\_\_\_

Does the Sheriff currently holding an existing writ? ☐ Yes ☐ No

If yes, please indicate below the type of levy performed on the existing writ: \_\_\_\_\_

#### ATTORNEY OR PLAINTIFF'S INFORMATION: (NO REFUNDS AFTER PROCESSING)

PRINT NAME

MAILING ADDRESS

SIGNATURE

CITY /STATE/ZIP

DATE

DAYTIME /CELL PHONE NUMBER (SEE REVERSE SIDE FOR INFORMATION)

**IMPORTANT INFORMATION:**

**Property Description**

Sheriff's Court Services requires specific description of the property to be levied upon which describes the property adequately for the sheriff to identify the property under levy. The Sheriff cannot seize property kept in a private place or in the possession of the defendant without a court order authorizing the seizure. ***Request for services to multiple addresses requires separate fees for each additional address.***

**Method of Levy**

The method of enforcing Real Property Levy under a Writ of Possession is to serve a Notice to Vacate on the tenant(s) and or occupant(s) by the Sheriff. The Notice to Vacate under the Writ of Possession informs the tenant to leave the property by the end of five days from the date of service.

The Notice to Vacate under a Writ of Possession orders the Sheriff to remove the tenant from the property, but gives the tenant five days from the date the writ is served to leave voluntarily per CCP 715.010. If the tenant does not leave by the end of the fifth day, the writ authorizes the Sheriff to physically remove and lock the tenant(s)/occupant(s) out. ***The landlord or owner is not entitled to possession of the property until after the Sheriff has removed the tenant(s)/occupant(s) or the tenant has voluntarily moved.***

**Service Hours**

Generally, our service hours are from 6:00 am to 4:00 pm and our office hours are from 8:00 am to 4:30 pm Monday through Friday, excluding legal holidays.

**Requirements**

- A. Original Writ of Possession-Real Property (Money Judgment-Form EJ-130) plus three copies.
- B. Letter of Instructions (Signed and Dated). ***The letter of instructions can be in the form of a letter but it is highly recommended that the Sheriff's Instructions form be used in all levy requests.***
- C. Fees: 125.00 plus any additional deposit required to perform the levy.

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**FOR OFFICE USE ONLY**

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_